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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/896,873	06/29/2001	Jun Yamada	15162/03780	1027

24367 7590 04/08/2004

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717 NORTH HARWOOD  
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DALLAS, TX 75201

EXAMINER
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KJELIN, ERIK J

ART UNIT	PAPER NUMBER
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2813

DATE MAILED: 04/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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09/896 873

EXAMINER
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ART UNIT	PAPER
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20040406

DATE MAILED:

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

### **DETAILED ACTION**

This action responds to the Amendment filed 20 January 2004 and the Petition to Change Inventorship filed 24 November 2003.

#### ***Petition to Change Inventorship***

1. The request for the deletion of an inventor in this nonprovisional application under 37 CFR 1.48(b) is deficient because:

37 CFR 1.48(b) requires that the amendment be accompanied by: (1) a request including a statement identifying each named inventor who is being **deleted** and acknowledging that the inventor's invention is no longer being claimed in the application.

#### ***Election/Restrictions***

2. This application is in condition for allowance except for the presence of claims 1-17, 29-37, 39, 41, 43, 45, 47, 49, 51, 53, and 56-130 to species non-elected with traverse in the Paper filed 22 July 2003. Applicant is given ONE MONTH or THIRTY DAYS from the date of this letter, whichever is longer, to cancel the noted claims or take other appropriate action (37 CFR 1.144). Failure to take action during this period will be treated as authorization to cancel the noted claims by Examiner's Amendment and pass the case to issue. Extensions of time under 37 CFR 1.136(a) will not be permitted since this application will be passed to issue.

The prosecution of this case is closed except for consideration of the above matter.

***Allowable Subject Matter***

3. Claims 18-28, 38, 40, 42, 44, 46, 48, 50, 52, 54, 131-147 are allowed.
4. The following is an examiner's statement of reasons for allowance: The reasons the applied art does not teach or suggest the invention delineated by the instant claims are those indicated by Applicant in the Response filed 20 January 2004.

In particular, Applicant argues that Doane does not have a pixel region (Doane col. 3, lines 1-3) and that the features shown in the Doane Figs. 4 and 5 (Fig. 5 is the selective reflection state) does not meet Applicant's definitions of "polydomain state" and "monodomain state" as defined in paragraph [0273] of the instant specification. The claim 18 is allowable over Doane to the extent that Applicant's arguments are accurate. (See p. 56 of the Response filed 20 January 2004)

With regard to the Mori reference, Applicant acknowledges that a mixed state exists but argues that Mori does not teach a pixel region. (See p. 57 of the response filed 20 January 2004.) The claim 18 is allowable over Mori to the extent that Applicant's arguments are accurate. (See Mori, Abstract regarding the pixel region.)

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erik Kielin whose telephone number is 571-272-1693.

The examiner can normally be reached on 9:00 - 19:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Whitehead, Jr. can be reached on 571-272-1702. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Erik Kielin  
Primary Examiner  
6 April 2004